

## Wage and Hour Division, Labor

§ 510.20

a duly authorized representative of the Administrator.

(e) *Department* means the U.S. Department of Labor.

(f) *Tier* means one of the four categories established for an extended phase-in of the statutory increases in the minimum wage under section 6(c) of the Act as amended.

(g) *Standard Industrial Classification (SIC)* refers to the classifications established in the *Standard Industrial Classification Manual, 1987*, published by the Office of Management and Budget, Executive Office of the President.

## Subpart B—Schedule of Minimum Wage Rates Applicable in Puerto Rico

### § 510.10 Table of wage rates and effective dates.

(a) The following table provides effective dates of minimum wage increases for the four statutory tiers. Appendices A and B to these regulations contain listings of manufacturing and non-manufacturing industries in Puerto Rico by SIC code, and indicate which tier is applicable. Appendices C and D contain listings of government corporations and municipalities and indicate which tier is applicable.

EFFECTIVE DATES

Tier	4/1/90	4/1/91	4/1/92	4/1/93	4/1/94	4/1/95	4/1/96
One .....	\$3.80	\$4.25	\$4.25	\$4.25	\$4.25	\$4.25	\$4.25
Two .....	3.55	3.70	3.90	4.05	4.25	4.25	4.25
Three .....	3.50	3.65	3.80	3.95	4.10	4.25	4.25
Four .....	3.50	3.60	3.75	3.85	4.00	4.10	4.25

(b) Tier 1 applies to employees of the United States, employees of hotels, motels, or restaurants, retail or service establishments that employ such employees primarily in connection with the preparation or offering of food or beverages for human consumption, and industries in which the average hourly wage is greater than \$4.64.

(c) Tier 2 applies to industries in which the average hourly wage is not less than \$4.00 but not more than \$4.64.

(d) Tier 3 applies to industries in which the average hourly wage is less than \$4.00.

(e) Tier 4 applies to certain employees of the Commonwealth of Puerto Rico, municipalities, and other governmental entities of the Commonwealth in which the average hourly wage is less than \$4.00.

## Subpart C—Classification of Industries

### § 510.20 Wage surveys in Puerto Rico.

(a) The legislative history to the 1989 Amendments (Conference Report 101-47 on H.R. 2, May 8, 1989) stated that for any industry to qualify for an extended minimum wage phase-in, the government of Puerto Rico would be required

to furnish official survey data substantiating that an industry's average hourly wage is below either the \$4.65 or \$4.00 threshold level. Such data were to be compiled and submitted for review to the Department.

(b) *Manufacturing industries.* For purposes of implementing section 6(c) of the Act, as amended, Puerto Rico has submitted its Census of Manufacturing Industries. The Bureau of Labor Statistics of Puerto Rico regularly gathers data from manufacturing establishments regarding employment, hours and earnings. The data include hourly earnings for production and related workers and are generally specific to the four-digit SIC code level.

(c) *Non-manufacturing industries.* The Bureau of Labor Statistics of Puerto Rico designed and executed a survey to supplement data regularly gathered for the U.S. Bureau of Labor Statistics (i.e., that included in the payroll establishment survey published in *Employment and Earnings*). The supplemental survey was carried out to determine average hourly earnings for production workers or non-supervisory employees in the private non-agricultural, non-manufacturing sector. Employment and payroll information was collected